

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.23750 OF 2005

Dt.11.11.2005

Between:

P.Manoj Singh

... Petitioner

And

The Deputy Commissioner of Prohibition and Excise,
Hyderabad.

... Respondent

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Prohibition and Excise appearing for the respondent.

The petitioner submits that he is the owner of TVS motorcycle bearing No.AP 13G 1141. The said vehicle has been seized while one Deepu Singh was found transporting 272 sachets of I.D liquor having purchased the same at Dhoolpet and to sell them at Karmanghat. It is stated that the confiscation proceedings are still pending on the file of the Deputy Commissioner of Prohibition and Excise, Hyderabad. By the impugned order, the request for interim custody of the said vehicle alone has been rejected.

Whether the petitioner is having any knowledge about the misuse of the said vehicle by the accused Deepu Singh is a matter to be enquired in the final proceedings. But, however, having regard to the facts and circumstances of the case, the writ petition is disposed of directing the respondent to release the said vehicle in favour of the petitioner on furnishing bank guarantee for the value of the said vehicle pending disposal of the confiscation proceedings.

The writ petition is disposed of accordingly. No costs.

(V.ESWARAIAH, J.)

11.11.2005

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